

CLEAN WATER FUND

July 22, 2005

Mr. Paul Dabbs
Statewide Planning Branch
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001
VIA FACSIMILE and US Mail

Re: Comments on the Public Review Draft of the California Water Plan Update of 2005

Dear Mr. Dabbs:

On behalf of Clean Water Fund, I would like to thank you for the opportunity to comment on the Public Review Draft of the California Water Plan Update of 2005 prepared by your agency. The process used to create this draft has been excellent, and we appreciate the opportunity to comment at several points in the document's development. We agree with the emphasis placed on integrated water management, and look forward to the implementation of your recommendations.

Our primary concern in reviewing this document is to ensure specific actions are identified to improve access to clean, safe and affordable drinking water for those Californians who lack it. This document identifies over four million Californians with contaminated drinking water sources. Yet the Implementation Plan identifies few actions to either identify or assist these people. We recommend that the Implementation Plan incorporate the following strategies: A program for identifying and prioritizing communities with drinking water problems; provisions for technical and financial assistance to identified communities; and involvement of local residents in monitoring and decision-making processes. More specific amendments to the Implementation Plan are suggested below.

Recommendation 2 – Promote and Implement Regional Water Management

Clean Water Fund strongly agrees with the decision to prioritize this measure. Regional planning allows for better resource conservation and more active community involvement and, if properly done, will improve water quality and access for low-income communities. However, we're concerned that the recommended Action Plan does not ensure fair and balanced development and implementation of regional planning efforts. The large amount of funding being devoted to these regional efforts raises real equity issues that should be addressed. These plans must encompass *all* water sources and users in the delineated areas, including small communities, private water systems, individual wells, and contaminated sources; and all areas of the state, including poor rural communities, need to be subject to such planning efforts.

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Action Plan, revised first bullet: “Regional efforts should incorporate integrated resource planning to meet multiple water management objectives consistent with the principles advanced in this water plan, *and should identify the location and needs of disadvantaged communities within each region.*”

New bullet: *Regional efforts should be coordinated so that all water users and supplies in a given watershed are included in the planning process.*

Addition to last bullet: “DWR will develop the necessary tools to assist local and regional agencies to be successful with integrated regional water management and planning”...*and will monitor the development and implementation of these plans to ensure an equitable distribution of technical and financial assistance in planning efforts.*

Implementation Challenges, new bullet: *Ensuring that all areas of the state are equally served by regional planning efforts and funding.*

Performance Measures, amended first bullet: Annual funding dedicated for *small and disadvantaged communities*, CALFED...urban water management plans, and regional water plans.”

Amended second bullet: “Number, distribution, and quality, *including identification of disproportionate community impacts* of groundwater management plans, urban water management plans.

Recommendation 3 – Improve Water Quality

While this recommendation is appropriate and encompassing, the proposed actions fail to address most of the issues raised. We recommend the following additions to fully enact this recommendation.

Action Plan, revised first bullet: “DWR will work with the Department of Health Services...and other local agencies to *develop a coordinated process to monitor, evaluate, prevent, mitigate, and treat* the effects of contaminants on surface and groundwater quality, as well as to prioritize actions based upon public health impact. DWR could participate by sharing data, *coordinating data collection efforts, identifying problem watersheds and aquifers*, conducting analysis of surface water and groundwater flow and transport of contaminants

Implementation Challenges, new bullet: *The difficulty of assessing the public health impacts of multiple contaminants.*

Performance Measure, new bullet: *Coordinated program for identification and monitoring of contaminated sources.*

Recommendation 5 – Implement the CALFED program

The Action Plan and Intended Outcomes for this recommendation specifically name the Delta Improvements Package, the Environmental Water Account and feasibility studies for storage infrastructure, but fails to include other key Record of Decision (ROD) benchmarks such as drinking water quality, water-use efficiency, and environmental justice. Given the uncertain status of all CALFED programs, we recommend one of three options for addressing the Actions and Outcomes:

- 1) Include bullet points for all required actions under the CALFED ROD;
- 2) Include no specific actions, but reference the ROD benchmarks in a single bullet;
- 3) Acknowledge the current status of CALFED by referencing the process by which the recommendations of the audits and reviews will be reviewed and adopted.

Recommendation 6 – Provide Effective State Government Leadership, Assistance, and Oversight

A key function of the state is to ensure that communities have equal access to clean, safe and affordable drinking water. In particular, low-income and rural communities have difficulty in funding necessary infrastructure upgrades, and in attracting state attention or assistance.

Action Plan, amended second bullet: “State government should provide technical assistance for...*and for at-risk low-income communities with drinking water and other infrastructure challenges.*

Performance Measures, new bullet: *Number of disadvantaged communities with improved water quality and/or supply.*

Recommendation 7 – Clarify State, Federal, and Local Roles and Responsibilities

This is an excellent recommendation, particularly the suggestion of an interagency water forum. Unfortunately, the formation and responsibilities of such a forum are not referenced in the action plan or performance measures. We also question why the two Actions, streamlining and coordination, are on two different time schedules. We think that the Actions are linked and should proceed concurrently.

Action Plan, amended first bullet: “State government should lead an effort to examine where the mandates of State, federal and local governments and agencies conflict with or complement each other to streamline *and coordinate* the roles and jurisdictions governing California water management.

Performance Measure, new bullet: *Development and implementation of a framework through which local, State, and federal water agencies and governments can coordinate their activities and workplans.*

Recommendation 14 – Ensure Environmental Justice across all Communities

This recommendation addresses only communication and outreach to disadvantaged communities. But this is only part of the problem; this recommendation should give equal weight to filling information gaps, supplying technical needs, and meeting funding challenges. Our recommendations:

Action Plan, new bullet: *DWR, in coordination with the appropriate State and Federal Agencies, will review its current monitoring and regulatory programs to identify and address*

gaps in available data and monitoring programs that impact disadvantaged communities and vulnerable populations.

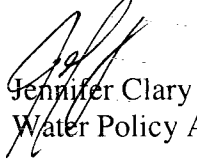
New bullet: *DWR will develop guidelines for technical and financial assistance targeted at small, disadvantaged, and/or low-income communities.*

Intended Outcomes, new bullet: *Identification of EJ communities and their specific needs; target assistance to identified EJ communities.*

Performance Measures, new bullet: Number and geographic representation of disadvantaged and vulnerable communities.

Thank you for allowing us the opportunity to address our concerns. We would be happy to discuss our comments with you at your convenience.

Sincerely,



Jennifer Clary
Water Policy Analyst